

**BCC Meeting:
Jan. 23, 2019
Research Notes**

**Item No. 8F6
File No. 182737**

Researcher: IL Reviewer: TD

RESOLUTION AUTHORIZING ACCESS OF STATE OF OKLAHOMA CONTRACT NO. OK-SW-300 THROUGH OCTOBER 4, 2019 FOR PURCHASE OF AUTOMATIC EXTERNAL DEFIBRILLATOR UNITS AND ACCESSORIES FOR THE MIAMI-DADE POLICE DEPARTMENT IN A TOTAL AMOUNT NOT TO EXCEED \$3,468,000.00; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE DOCUMENTS NECESSARY TO ACCESS SAME AND EXERCISE ALL PROVISIONS OF THE CONTRACT PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND IMPLEMENTING ORDER 3-38

ISSUE/REQUESTED ACTION

Whether the Board should authorize access of the State of Oklahoma Contract No. OK-SW-300 through October 4, 2019 in a total amount not to exceed \$3,468,000.00 for the purchase of automatic external defibrillator units and accessories for the Miami-Dade Police Department (MDPD).

APPLICABLE LEGISLATION/POLICY

Section 2-8.1 of the Code of Miami-Dade County (Contracts and Purchases Generally) applies to all contracts for public improvements and purchases of all supplies, materials and services other than professional services and (1) requires formal sealed bids for purchases over \$250,000.00; (2) describes the circumstances under which non-competitive purchases may be approved; (3) establishes requirements for legacy purchases, designated purchases, and single vehicle leases; and (4) provides that procurement procedures shall be established by Implementing Order (I.O.) and approved by the Board.

[https://library.municode.com/fl/miami -
dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH2AD_ARTIINGE_S2-8.1COPUGE](https://library.municode.com/fl/miami-dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH2AD_ARTIINGE_S2-8.1COPUGE)

Section 2-8.2.6(3)(a)(v) of the County Code (unsolicited proposals) governs the procedure on unsolicited proposals, if the County Mayor elects to evaluate an unsolicited proposal that has been submitted with the application fee and all of the information and materials required pursuant to this section, the County Mayor shall have 90 days to evaluate the unsolicited proposal. In the event that 90 days is insufficient to complete an evaluation, the County Mayor may request an extension of this time from the Board.

[https://library.municode.com/fl/miami -
dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH2AD_ARTIINGE_S2-8.2.6PUIVPAUNPR](https://library.municode.com/fl/miami-dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH2AD_ARTIINGE_S2-8.2.6PUIVPAUNPR)

Resolution No. R-477-18, adopted by the Board on May 1, 2018, directs the County Mayor to disclose to the Board the reasons why goods and services are not being procured through local businesses when the recommendation is to award a contract to a non-local vendor or to establish a prequalification pool where less than 75 percent of the pool members are local businesses.

<http://intra/gia/matter.asp?matter=180822&file=true&yearFolder=Y2018>

Resolution No. R-1011-15, adopted by the Board on November 3, 2015, Directs the Mayor to require that vendors provide addresses of all local branch offices and headquarters and the number and percentage of local residents such vendors employ, and directs the Mayor to include such information in the memorandum to Board pertaining to vendor being recommended for contract award.

<http://www.miamidade.gov/govaction/matter.asp?matter=152271&file=true&yearFolder=Y2015>

Resolution No. R-187-12, adopted by the Board on February 21, 2012, directs the County Mayor to include due diligence information in memoranda recommending certain contract awards.

<http://intra/gia/legistarfiles/MinMatters/Y2012/120287min.pdf>

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Implementing Order No. 3-38, sets forth the County's processes and procedures for the purchase of goods and services. The I.O. outlines: the roles and responsibilities of the Internal Services Department (ISD); the methods of purchasing goods and services; the authority to award and modify contracts; and the requirements for access contracts, emergency purchases, bid waivers, confirmation purchases and sole sources.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-38.pdf>

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Internal Services Department

The item was brought before the Public Safety and Health Committee and forwarded to the January 23, 2019 BCC with a favorable recommendation.

ANALYSIS

This item is requesting Board authorization to access the State of Oklahoma Contract No. OK-SW-300 through October 4, 2019 in a total amount not to exceed \$3,468,000.00 for the purchase of automatic external defibrillator units and accessories for the Miami-Dade Police Department (MDPD). The MDPD department is looking to replace 2,000 defibrillators with Physio-Control Lifepak 1000 automatic external defibrillators (AED). The intent is for every patrol vehicle to be equipped with new defibrillators allowing police officers to provide lifesaving assistance when MDPD is the first respondent to an individual suffering cardiac arrest.

The fiscal impact is the purchase amount of \$3,468,000. The contract's term is currently on its first option to renew which became effective October 5, 2018 and the contract has three (3) additional options to renew should the state of Oklahoma elect to exercise them. By having Zoll Medical agree to buy back the units directly from the County, the credit can be applied directly to the purchase of the new defibrillators and will save the County \$800,000.00.

The current contract for defibrillators is BW9262-1/20-1, with a current value of \$6,054,623.00 and is scheduled to expire on May 23, 2020. The allocation for the current contract is \$6,054,623.00, the released amount is \$4,607,448.12 and the remaining balance is \$1,447,174.88 according to the Bid Tracking System as of January 10, 2019.

According to the mayoral memo the reason we are attaching to the Oklahoma contract is because Oklahoma leads the National Association of State Procurement Officials (NASPO), in soliciting for the purchase of defibrillators. The benefits to the County are:

- Five-year product warranty;
- Service loaners;
- 55% discount on the professional compliance management program for ongoing service and support;
- 30 free defibrillator simulators and demo pads for training purposes;
- Trade in credit of \$400 dollars per used operable defibrillator unit, which may result in additional savings of up to \$800,000.00; and
- A financing option that allows the County to pay on an annual bases over a span of five years without financing or interest charges while receiving the upfront delivery of the units.

The state of Oklahoma complied with Miami-Dade County Resolution 477-18, as five proposals were received and the highest ranked proposer was recommended for award. The vendor that was awarded the contract is Zoll Medical Corporation. This vendor has an active status on sunbiz, the State of Florida's Division of Corporations' website and is classified a foreign corporation. The vendor does not have an account with the Tax Collectors office.

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The County opted to proceed with the Oklahoma contract because of the benefits attained from Zoll Medical. Currently Miami-Dade Fire Rescue (MDFR) uses Physio-Control branded defibrillators in their daily operations, Zoll Medical agreed to provide 1 adapter at no cost for each Zoll Deibillator purchased by the County, plus one adapter for each Physio-Control branded defibrillator owned by MDRF. Additionally, Zoll Medical has agreed to provide an extra 150 adapters as replacements for free. These adapters allow MDRF to connect their defibrillators directly to Zoll pads already being utilized if MDPD is first to respond on the scene. The County would be receiving over 2,300 adapters for free by way of this agreement. Moreover, Zoll Medical also has a third party distributor who buys back older defibrillators for credit in order to refurbish them for resale. Negotiations with Zoll Medical allowed the County to bypass the third party distributor and trade their old Physio-Control units to Zoll Medical.

Below is a picture of the type of AED that is being purchased.



ADDITIONAL INFORMATION:

The Division of Policy and Legislation conducted research and found that other jurisdictions also contracted Zoll Medical Corporation to provide External Defibrillators statewide. -Hawaii is an example.

https://spo.hawaii.gov/wp-content/uploads/2017/03/VL-13-12-Change-No.-8_Executed-4.pdf